

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TENN. MEMPHIS

LUTHER HICKS and ROBIN HICKS, )

Plaintiffs, )

vs. )

ALMOND RV, INC., et al. )

Defendants. )

No. 05-2506-BV

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held August 25, 2005. Participating were Kevin Snider, counsel for plaintiffs, and Evan Nahmias, Chris Jones, Britt Phillips, and Frederick Humbracht, counsel for the defendants. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):  
September 8, 2005

JOINING PARTIES: October 25, 2005

AMENDING PLEADINGS: October 25, 2005

INITIAL MOTIONS TO DISMISS: November 25, 2005

COMPLETING ALL DISCOVERY: February 28, 2006

(a) DOCUMENT PRODUCTION: February 28, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR  
ADMISSIONS: February 28, 2006

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: December 30, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: January 31, 2006

(3) EXPERT WITNESS DEPOSITIONS: February 28, 2006

FILING DISPOSITIVE MOTIONS: March 31, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 4 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

*Diane K. Vesco*

DIANE K. VESCOVO

UNITED STATES MAGISTRATE JUDGE

DATE: *August 29, 2005*



## Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02506 was distributed by fax, mail, or direct printing on August 29, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT